

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BCD FARMS, INC., )  
Plaintiff, ) 8:05CV25  
vs. )  
CERTIFIED ANGUS BEEF, LLC, et al., )  
Defendants. ) ORDER

This matter is before the court on Defendant Certified Angus Beef LLC's Unopposed Motion To Modify The Fifth Amended Final Progression Order And To File Evidentiary Materials In Paper Form (Filing No. 67). The defendants seek an enlargement time to extend the deadline to file a motion for summary judgement from August 31, 2007 to September 17, 2007. The defendants also request the court to permit the defendants to file and serve its evidentiary materials in support of its motion for summary judgment in paper form the next day. The defendants contend due to the substantial volume of exhibits in support of its motion for summary judgement, serving the exhibits in paper form the next day would simplify the filing. The defendants represent the plaintiffs have no objection to the extension or the filing of evidentiary materials in support of summary judgement in paper form the next day. The request to file exhibits in paper form will be denied. Upon consideration,

**IT IS ORDERED:**

1. The Defendant Certified Angus Beef LLC's Unopposed Motion to Modify The Fifth Amended Final Progression Order And To File Evidentiary Materials (Filing No. 67) is granted in part and denied in part.
2. The parties shall have **on or before September 7, 2007**, file any motions for summary judgement.
3. The defendants shall have an extension of one day after filing its motion for summary judgement and brief in support of its motion to file and serve its evidentiary materials in support of the motion for summary judgement **in electronic form**.

DATED this 29st day of August, 2007.

BY THE COURT:

s/ Thomas D. Thalken

United States Magistrate Judge